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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,271	10/24/2003	Hiroyuki Oda	KIN91USA	9070

270 7590 12/05/2005

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EXAMINER

HUG, ERIC J

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/693,271	ODA ET AL.	
	Examiner	Art Unit	
	Eric Hug	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-8, 10-12, 14-16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-8, 11, 12, 15, 16, 19 and 20 is/are allowed.
- 6) ☒ Claim(s) 2, 10, 14 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

The following is in response to the amendment filed on November 15, 2005. The amendment has been entered.

The finality of the rejection of the last Office action is withdrawn in view of new grounds of rejection set forth below. Prosecution is hereby reopened.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eklund et al (US 5,232,768) in view of Fekete (US 3,392,079).

Eklund discloses a press felt having at least one base fabric 9, at least one batt layer on the paper side 6, and a barrier layer 7 having finer fibers than the fibers of the batt layer. The barrier layer is designed to prevent rewetting of the web when the felt and web exits from the press nip. See particularly column 3, lines 3-51. Column 3, lines 65-67 discloses that the barrier layer is hydrophilic. Exemplary embodiments show the felt may also have a press side batt layer 13' and/or multiple paper side batt layers. Several figures show that the barrier layer can be on the paper side of the base layer located under one paper side batt layer or under two paper side batt layers. Column 5, lines 35-41 limits the arrangement of layers only so that the barrier layer is always underneath a surface batt layer.

Eklund does not disclose that the fineness of the staple fibers on the paper side of the nonwoven (barrier) layer is 9 dtex or less. However, it would be obvious to optimize the fineness of the surface layer of Eklund to provide a smooth web-contacting surface that prevents marking of the web as the web and felt run through the press nip. Fekete is cited here to exemplify that the fineness of a paper side batt layer in a press felt is chosen for these reasons, and discloses that the "fine fibers" of the batt layer is typically 10 denier or less (equivalently 11 dtex or less, as 1 denier = 1.1 dtex). See particularly column 6, lines 48-58. Thus, a fineness value of 9 dtex or less for the paper side layer in Eklund is deemed to be well within the ordinary skill of one in the art and encompassed by the teachings of Fekete.

2. Claims 10, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eklund in view of Fekete as applied to claim 2 above, and further in view of Applicant's Admission of Prior art.

The features of the claims correspond to conventional press arrangements disclosed as prior art by Applicant. Although Eklund in view of Fekete does not disclose the exact arrangements, it would have been obvious to one skilled in the art to use the press felt of Eklund in view of Fekete in any of the claimed conventional pressing arrangements to compressively squeeze water from a fibrous web.

Allowable Subject Matter

Claims 3-8, 11, 12, 15, 16, 19, and 20 are allowed for reasons given previously.

Response to Arguments

Applicant's arguments filed November 15, 2005 have been fully considered.

The amendments to the claims and the English translation of the foreign priority papers have overcome the rejections based on Hansen set forth previously.

A new grounds of rejection based on Eklund has been set forth above.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Khan (US 4,259,394) discloses a press felt having a woven base fabric and a fibrous batt consisting of 6 Denier staple fibers needled onto both sides of the woven base fabric.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


jeh